

Minutes: REGULAR CITY COUNCIL MEETING, May 21, 1984  
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MINUTES OF A REGULAR CITY COUNCIL MEETING HELD MAY 21, 1984

PRESENT

Grant S. Nielson	Mayor
Don Dafoe	Council Member
Neil Dutson	Council Member
Craig Greathouse	Council Member
Kjell Jenkins	Council Member
Ruth Hansen	Council Member

ABSENT

None

OTHERS PRESENT

Jim Allan	City Manager
Dorothy Jeffery	City Recorder
Warren Peterson	City Attorney
Doyle Bender	City Treasurer
John Quick	City Engineer
Gayle Bunker	City Resident
Martin Ludwig	City Resident
Leah Kauwe	City Resident
Ray Brown	Hinckley Lions Club President
Frank Louder	Delta City Parks Maintenance Foreman
Jim Fletcher	KNAK Radio Station

Mayor Nielson called the meeting to order at 7:00 p.m. and stated that notice of the time, place and agenda of the meeting had been posted at the principal office of the governing body. Notices were also provided to the Millard County Chronicle, the Millard County Gazette, and the local radio station, KNAK, and to each member of the governing body at least two (2) days prior to the meeting.

MINUTES

The minutes of a Public Hearing held April 30, 1984, regarding the intended vacation of that portion of 400 North Street lying East of 350 East in Delta City were presented for consideration of approval. After discussion and correction of the minutes, Council Member Ruth Hansen MOVED the minutes be approved as corrected. The motion was SECONDED by Council Member Don Dafoe and received the affirmative vote of all Council Members.

The minutes of a regular City Council meeting held April 30, 1984, were presented to the Council for consideration of approval. After discussion and correction of the minutes Council Member Craig Greathouse MOVED the

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minutes of the regular City Council meeting held April 30, 1984, be approved as corrected. Council Member Kjell Jenkins SECONDED the motion, which received the affirmative vote of all Council Members.

#### ACCOUNTS PAYABLE

City Recorder Dorothy Jeffery asked if there were any questions regarding the accounts payable listed, a listing of which were previously provided to the Council Members. The May 21, 1984, accounts payable were as follows:

P & E ENGINEERING		Survey/draft DW Annex	1,310.00
MANIS LEAVIE		3/19/84 - 2/2/85	172.00
CALLAGHAN CO.	Attorney	Revised Mun. Ord. 3 & 4	140.05
CLASSIC SALES	Recorder	Diskettes for payroll	32.50
THE CLEANERS	Council	Cleaning Santa Suit/Hair	8.00
L.N. CURTIS	Fire Dept	Pants/suspndrs/nozzle	2,973.00
W.S. HATCH	Streets	Freight on lime chips	137.50
FORD CHEM LAB	Sewer	4 Wastewater samples	54.00
KELLY CO.	J.P.	1 Docket Book, 1 Rec Bood	93.18
MASTER MUFFLER	Police	Tune up, instl sptlight	69.26
GAZETTE	Recorder	Notice Handicap Reg.	14.00
MIL CO RECORDER	P & Z	1 Plat Map	1.00
MIL CO RECORDER	City Manager	Diazo plat maps	61.50
MIL CO RECORDER	Water/Sewer	Diazo plat maps	61.50
MULLET HOOVER	Parks & Rec	Graduation gift (Laura)	61.95
PETERSEN'S SV	Police	Rebuilt Carb, misc.	318.90
PRD INFO NET	Police	PIN Service Agreement	86.88
PRD INFO NET	Water	PIN Service Agreement	86.88
PRD INFO NET	Sewer	PIN Service Agreement	86.88
PRD INFO NET	Bldg Inspector	PIN Service Agreement	86.88
PRD INFO NET	Treasurer	PIN Service Agreement	86.88
PRD INFO NET	City Manager	PIN Service Agreement	86.88
FABRIC SHOP	Parks & Rec	YAC craft material	54.39
REDEX INC	Sewer	Shipping on pump	26.50
SALT LK STMP	Police	Stamper 16 for reports	135.56
SO UT OFFICE	Parks & Rec	Hanging file folders	47.94
UNIVERSL BUS	Attorney	Service on lanier dict	43.41
UT LIBRARY	Library	Membership for children	14.00
DELTA AUTO	Misc.	total	154.15
UP&L		1950 E. 500 S.	66.20
UP&L		420 S. 300 E.	434.22
UP&L	City Hall	309 W. Main	112.38
UP&L	Fire Dept		100.42
UP&L	Streets	SL	924.67
UP&L	Streets	SL	314.63
UP&L	Sewer	Sewer Lift	8.33
UP&L	Sewer	Sewer Pump	82.77
UP&L	Sewer	D Station	47.34
UP&L	Sewer	Sewer pump 2	110.79
UP&L	Sewer	Sewer pump 3	177.01

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UP&L	Sewer	Sewer Pump F	68.24
UP&L	Parks & Rec	Tennis Court	17.13
UP&L	Parks & Rec	Tennis Court	8.40
UP&L	Water	City Well	538.09
UP&L	Water	Sugar Factory Well	357.43
UP&L	Water	City Water	40.81
UP&L	Water	Yard Well	862.21
UP&L	Water	Yard Pump House	8.08
Total			\$10,958.44

Following a brief discussion of the accounts payable, Council Member Don Dafoe MOVED the accounts payable be approved as listed, including the Delta Auto bill for the month of May in the amount of \$154.15. The motion was SECONDED by Council Member Craig Greathouse. The motion carried unanimously.

RAY BROWN: DISCUSSION REGARDING THE DEMOLITION DERBY HELD ON THE FOURTH OF JULY

Ray Brown, President of the Hinckley Lions Club, explained that the Hinckley Lions Club has scheduled their annual demolition derby for Wednesday, July 4th, from 7:00 p.m. to 9:00 p.m. The Lions Club would like to have the activity in conjunction with Delta City's Fourth of July celebration.

Mr. Brown solicited the Council's support for the derby and requested the activity be placed on the Delta City's Fourth of July agenda.

Council Member Don Dafoe MOVED that Delta City Council support the Hinckley Lion's demolition derby and have the activity placed on the Delta City's Fourth of July Celebration agenda. The motion was SECONDED by Council Member Craig Greathouse and received the affirmative vote of all Council Members.

ATTORNEY WARREN PETERSON: EASEMENT WITH REX DAY FOR THE COMPLETION OF THE WATER LINE SYSTEM AT DELTA ESTATES

Attorney Peterson explained that easements from Rex Day and other land owners in the same area for completion of water lines at the Delta Estates has been obtained. Therefore, Council Member Ruth Hansen MOVED that the Council accept the easements from Rex Day and others needed to complete the water lines at Delta Estates, and extended a vote of thanks to the Mayor for his time and effort in obtaining the easements. The motion was SECONDED by Council Member Don Dafoe. The motion carried unanimously.

CITY MANAGER JIM ALLAN: LETTER TO COUNTY REGARDING THEIR PORTION OF THE FIRE HOUSE EXPANSION

City Manager Jim Allan read the following letter to the Council:

Subject: Funding for the Delta City Fire House  
Extension Project

1. Delta City has established with the Six County Commissioners Organization the priority of enlarging the present fire house facility to accommodate the City's Fire Equipment. Because this equipment is used extensively within West Millard County and the County's other communities, the City is seeking a fifty percent proportionate sharing of the project cost with the County.
  2. Evaluation of the total costs, including an appraiser price for the land on which the enlargement is to take place, is as follows:
    - a. Structural Improvements
      1. Steel building 42' x 52'  
Roof 18-gauge steel  
Walls 22-gauge steel  
2 insulated overhead doors  
Insulation  
Concrete and reinforcements  
Modifications to existing structure  

\$34,726.00
    - b. Interior Improvements  

furring 2" x 2"  
 $\frac{1}{2}$ " sheet rock  
insulation  
2 propane gas heaters  
electrical work  

\$ 8,071.00
    - c. Property  

3,500.00
- TOTAL \$46,297.00
3. Because the CDBG grant funding will help defray \$30,000 of the total costs, Delta City and Millard County would be responsible for \$16,297, or \$8,149 each for the remainder of the costs. Therefore, the City requests that the County support the project in the amount of \$8,149 so that the project

may begin as soon as possible. In addition, it is requested that the County tear down and remove the old jail house.

Mr. Allan explained that this letter would be over Mayor Nielson's signature.

Following a brief discussion of the contents of the letter, Council Member Craig Greathouse MOVED to approve the issuance of the above mentioned letter and to authorize Mayor Nielson to sign it. The motion was SECONDED by Council Member Kjell Jenkins and received the affirmative vote of the Council.

COUNCIL MEMBER RUTH HANSEN: SCHEDULE INTERVIEWS FOR THE LIBRARIAN POSITION

Council Member Ruth Hansen told the Council the applications for the librarian position were reviewed by the library board and four applicants were selected for interviews. She then asked the Council what date and time they would prefer to interview. It was the decision of the Council to schedule the interviews for May 29th, at 7:00 p.m. to 8:30 p.m.

CITY MANAGER JIM ALLAN: PAYMENT REQUEST FOR WILFORD JENSON FOR WORK COMPLETED ON THE DELTA CITY MUNICIPAL BUILDING

Jim Allan, City Manager, presented a payment request from Wilford Jenson Construction Company, which totalled \$49,561.34, for work completed to date on the Delta Municipal Building.

There was a question regarding the tile in the restrooms. Mr. Allan told the Council that Randy Green, architect for the project, had suggested the City withhold \$3,000 until the tile is completed to the satisfaction of the Council; however, the payment request is from Mr. Wilford Jenson and the tile work is being done by a subcontractor.

It was the opinion of the Council the problem of the tile was not the Council's responsibility, because the subcontractors are paid by the contractor.

A MOTION to approve the payment request in the amount of \$49,561.34 for Wilford Jenson Construction Company for work completed on the Delta City Municipal Building was made by Council Member Craig Greathouse. The motion was SECONDED by Council Member Don Dafoe. Motion carried unanimously.

CITY MANAGER JIM ALLAN: BID AWARD OF NEW CITY MUNICIPAL BUILDING SPRINKLING SYSTEM

City Manager Jim Allan presented the following bids for a sprinkling system at the new City Municipal Building.

- |                   |           |
|-------------------|-----------|
| 1. Dales Piperite | 9,500.00  |
| 2. Jim Anderson   | 10,940.00 |
| 3. Desert Rain    | 8,037.00  |

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Following a brief discussion of the bids, Boundil Member Craig Greathouse MOVED to accept Desert Rain's bid of \$8,037, which was the low bid. The motion was SECONDED by Council Member Ruth Hansen and received the affirmative vote of all the Council.

City Manager Jim Allan asked the Council to consider the possibility of expanding the sprinkling system to the park area South of the building. He explained there are two possible ways to irrigate that area, i.e., (1) a 12-inch irrigation line, which terminates at the northern end of the building, could be run down the west end of the building and irrigation water used, (2) extend a two-inch line from the sprinkling system to the park area and use culinary water to irrigate the south portion of the park.

There was some discussion regarding Mr. Allan's suggestion, but no Council action was taken.

CITY ENGINEER JOHN QUICK: ROAD AND STREET PROJECT PROPOSAL FOR COMMUNITY IMPACT BOARD

City Engineer John Quick reviewed with the Council the following document:

BACKGROUND

In 1980 and 1981 Delta City helped to organize town meetings to discuss the proposed Intermountain Power Plant construction project and the impacts it would have upon the City of Delta and the surrounding area. The issues and concerns most important to the past, present, and future were identified in those meetings. A task force was organized and the social, cultural, and physical concerns were identified and categorized. The challenges in each area were then defined and proposed actions were formulated. After many months of work a community service list was developed and priorities established for each service. This information was organized by the task force from the input of the citizens of Delta City. Included in the first priority items were schools, water systems, sewer systems, housing, parks, and recreation, library, city hall, administrative services, city streets and local drainage system. All of these items except the street and drainage system have been partially funded by IPP. State assistance has been involved in the water and sewer systems and the City building. The secondary priority items of police, fire and hospital have also received funds for implementation of improvements. Delta City is now committed to improve the street and drainage system within the community.

The existing right of ways in Delta are 99 feet wide and typically have a maintained surface 60 feet wide. This situation is convenient for traffic and

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vehicle movements but is very costly to maintain. The majority of the streets are of a cold mix asphalt design which is continually breaking up and pot holing. The remainder of the streets consist of a gravel surface which is treated intermittently as funds allow.

Delta is situated upon a predominantly level lake and flood plain with a maximum fall from North to South across the City of only 11 feet (average slope of 0.23 percent). This lack of physical relief compounds the problem of maintaining streets because the surface runoff, when not drained away, saturates the roadway materials and severely reduces its support strength.

#### PROPOSAL

A street committee was formed by the Delta City Planning Commission and City Council to establish a proposed street improvement plan. The major collector streets were identified and a typical cross section for Delta streets established. This typical section consists of construction of a sidewalk on each side of the right of way, a 44-foot asphalt street section with curb and gutter on each side. Additionally, preliminary studies have been made to establish a proposed master storm drainage system for Delta City.

Seven geographic areas of Delta were identified and established as possible improvements districts. The total cost to bring the streets within the improvement district boundaries up to the desired standards was estimated to be \$6,355,000.00. The additional cost of the required drainage system was estimated to be \$925,000.00. Therefore, the total estimated construction cost for drainage and street improvements for the entire City of Delta amounted to over \$7,285,000.00. Because of the large number of families in Delta living on fixed incomes and a number of large lots existing within the City, it was determined that it was not feasible to fund the entire project from local assessment revenue.

Several alternate options and combinations are possible and a few of these were proposed. These proposals were again discussed in open public meetings and the extent of street and drainage improvements for various dollar amounts were estimated. The current improvement scenario is to construct the optimum amount of storm drain system to provide for surface drainage and long term pavement life. Also to improve the major collector streets which now have good pavement and curb and gutter by installing an overlay and geotextile material from curb to curb. The third phase of

improvements would be to reduce the desired street section to a 30-foot asphalt section and have the property owners install sidewalks and curbs at a later time. It is felt that this approach will spread a reasonable amount of improvements to a greater number of citizens of the City. The amounts of 1.3 and 2.3 million dollars were established as budgets and an estimate of the amount of improvements for those budget amounts was formulated.

The first proposal of \$1,300,000.00 for improvements would accomplish the most critical storm drain system at a cost of \$425,000.00. A chip seal overlay on 100 West Street and a 2-inch overlay on Center Street would be an additional \$205,000.00. A total of about 15,000 L.F. of roadway in Delta could be resurfaced with the proposed 30-foot pavement section. This would be about 25 blocks long out of a total existing of over 100 blocks which need to be improved. Additional options to this scheme are possible to stretch the improvements further by utilizing an overlay on those areas which are adequate as a pavement surface. However, any attempt to cover all streets in Delta with such an approach as a chip seal for all streets would be a very temporary treatment which would in most cases last only one year.

A second proposal of \$1,800,000.00 would accomplish the same improvements as the first proposal and additionally provide the final design plans and elevations for any future curb and gutter or street work in Delta City. In addition, to the Center Street and 100 West improvements the critical storm drainage system could be installed and about 43 blocks of improved 30 foot wide streets installed. Approximately 40 percent of existing streets could therefore be improved to new status requiring much less maintenance than the existing streets.

The third proposal of \$2,300,000.00 would provide for the complete master drainage system construction of \$688,000.00 and the improvements to Center Street and 100 West Street. Additionally 52 blocks or over 50 percent of the existing streets could be improved under this proposal. Again the improvements could be feasibly stretched out further depending upon final design information and priority of improvements.

Following presentation of the above document there was a general discussion of the street project proposals. Upon conclusion, Mayor Nielson asked Mr. Quick if he was working with Gary Tomsic, Kim Young and Jim Allan in the preparation of the road project presentation to the CIB. Mr. Quick assured the Mayor that he was.



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Mayor Nielson thanked Mr. Quick for the presentation and for his attendance at Council meeting.

CITY ATTORNEY WARREN PETERSON: DISCUSSION REGARDING CONTROLLED SUBSTANCE ORDINANCE

Attorney Warren Peterson reviewed in detail a proposed amendment ordinance which would amend the Revised Ordinances of Delta City adopting chapters defining and regulating possession of controlled substance, defining and regulating possession of drug paraphernalia, defining and regulating possession of imitation controlled substance, and prescribing the penalties for violations of these provisions.

Attorney Peterson explained that a copy of the orgnanze would be given to each Council Member to review prior to the next regular City Council meeting. The ordinance proposal would be placed on the next meeting agenda for consideration and adoption.

CHIEF OF POLICE GREG COOPER: CHANGING CLASSIFICATION OF POLICE OFFICER DOLPH HANSEN

Jim Allan, Cith Manager, explained to the Council that the Chief of Police Greg Cooper had to be out of town and had asked Mr. Allan to present the request for changing the classification of Officer Dolph Hansen. Mr. Allan explained that Dolph Hansen had successfully completed his POST Academy Waiver School and is now considered a Category I police officer. For this reason Chief Cooper has requested that a change in Officer Hansen's classification be made to a Class I Police Officer and an increase in his wages from 14-C of \$1329 per month to 14-D at \$1383 per month.

Council Member Kjell Jenkins MOVED to authorize a change of classification to Category I Police Officer and a step increase from 14-C at \$1329 per month to 14-D at \$1383 per month for Officer Dolph Hansen be made as a result of Officer Hansen's successful completion of the POST Waiver School. The motion was SECONDED by Council Member Don Dafoe. The motion carried unanimously.

COUNCIL MEMBER DON DAFOE: CAPITAL EQUIPMENT FOR PARK MAINTENANCE

Council Member Don Dafoe explained to the Council that on June 1st, the Parks & Recreation Department will begin utilizing the bal parks at White Sage. There is some equipment needed to maintain the parks once they are in use. He said that in Allevation Agreement No. 47, IPP agreed to furnish \$14,500.00 toward purchase of this needed equipment, plus \$3,000 for miscellaneous equipment and supplies for the Community Center.

Mr. Dafoe presented the following list of equipment needed for the maintenance of these parks:

1	Tractor Mower	\$6,870.00
1	Turf Vacuum	5,900.00
1	Honda ATC 200	1,684.00

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1	Diamond Ball Drag	400.00
2	Lawn Mower - Hand Gas	950.00
2	Lawn Trimmer	350.00
1	Lawn Edger	304.00
1	Line Marker	125.00
1	Fertilizer Spreader	250.00
1	Trailer	400.00
1	Power Blow	200.00
	Trash Containers, etc.	500.00
	Hand Tools - Misc.	1,000.00
		<u>18,933.00</u>

The list of equipment IPA has provided for in this agreement is not the same as shown on Mr. Dafoe's list; however, with the Council's approval, Mr. Dafoe's equipment list would be presented to IPA. If necessary an amendment to Appendix 4 of Alleviation Agreement No. 47 would be made so that the proposed equipment could be obtained.

Mr. Dafor explained that the equipment will be used on other City parks, as well as the parks within the White Sage area. He requested the Council's approval for the purchase of the equipment. Council Member Craig Greathouse MOVED to approved the purchase of parks & Recreation maintenance equipment as listed, in the amount of \$18,933.00, subject to IPP funding of \$14,500. Delta City will budget for the balance of \$4,433 in the 1984-85 budget year. The motion was SECONDED by Council Member Ruth Hansen. The Mayor asked if there were any other comments regarding the motion.

Council Member Don Dafoe explained that there is an additional \$3,000 furnished by IPA for recreation equipment such as, tennis balls, basketballs, bats and etc., as well as a typewriter and a vacuum cleaner for the Center. These items do not have to be listed in the request to IPA.

Mayor Nielson asked Council Member Craig Greathouse if he wanted to amend his motion to include these items. Council Member Craig Greathouse amended his MOTION to include the above mentioned \$3,000. Council Member Ruth Hansen stated her SECOND would remain with the amended motion. Mayor Nielson then called for a vote on the motion. Motion carried unanimously.

#### CITY TREASURER DOYLE BENDER: LIABILITIES OF UNAUTHORIZED PASSENGERS IN CITY OWNED VEHICLES

City Treasurer Doyle Bender pointed out that, the City has unauthorized passengers riding in City owned vehicles, which may affect insurance coverage under the City's insurance policy. Under the present policy from Manis and Leavitt Insurance Company, he said, City employees are covered while driving City vehicles on City business; however, the policy contract states that unauthorized persons riding in the vehicle are covered only as long as they are doing so in accordance with City policies and procedures. Because Delta City does not have any written policy or procedure to cover this issue, the policy would not protect unauthorized passengers.

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Following a general discussion regarding the above issue, it was the opinion of the Council that Attorney Peterson and City Manager Jim Allan, as well as affected department heads, should meet and prepare a policy and procedure document covering passengers riding in the City owned vehicles. This document will then be presented to the City Council for their consideration and approval.

GREGG NIELSON, ROBISON & HILL COMPANY: MARCH AUDIT REPORT

Mayor Nielson explained the March audit report would have to be tabled until the next regular City Council meeting, June 4, 1984, due to a scheduling misunderstanding.

CITY MANAGER JIM ALLAN: SCHEDULE PUBLIC HEARING FOR PUBLIC COMMENTS REGARDING THE 1984-85 FISCAL YEAR BUDGET

City Manager Jim Allan explained that a public hearing needed to be scheduled for the purpose of receiving public comment regarding the 1984-85 fiscal year budget. Council Member Neil Dutson MOVED that a Public Hearing be scheduled for June 11, 1984, at 7:15 p.m., for the purpose of receiving public comments regarding the 1984-85 fiscal year budget. The motion was SECONDED by Council Member Don Dafoe. The motion carried unanimously.

City Manager Jim Allan told the Council that copies of the completed work sheets for the budgets would be given to each Council Member for review prior to the June 11th Public Hearing.

CITY ATTORNEY WARREN PETERSON: DISCUSSION REGARDING MILLARD COUNTY HOUSING OF PRISONERS

City Attorney Peterson reviewed with the Council a document proposed by Millard County entitled:

INTERLOCAL COOPERATION AGREEMENT PROVIDING FOR  
HOUSING DELTA CITY PRISONERS BY MILLARD COUNTY

Following a review of the document, there was some discussion regarding double taxation. Attorney Peterson told the Council that there is at present litigation involving Provo City, Orem City, and Utah County over the same issue. The latter suit is in appeal to the Utah Supreme Court.

Attorney Peterson recommended three alternatives to the payment method set out in the Millard County proposal:

1. The City can deposit the monies for the housing of prisoners into an escrow account and hold it until the decision is reached in the above mentioned case.
2. The monies could be paid to the County as the City is billed. If the County loses the case, the County could then return the money to the City.
3. Do nothing and wait for the outcome of the lawsuit.

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Attorney Peterson's recommendation to the Council was that the money be placed in an escrow account.

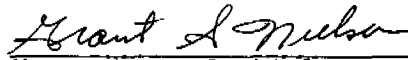
Following further discussion of the document, Council Member Ruth Hansen MOVED to authorize the Mayor to accept the document subject to improvements being written in by Mayor Nielson, City Manager Jim Allan, and Attorney Warren Peterson. The monies for housing of prisoners will be deposited to an escrow account for the present time. The motion was SECONDED by Council Member Neil Dutson. The Mayor asked if there was any further discussion prior to the voting on the motion. There being none, he called for a vote which was as follows:

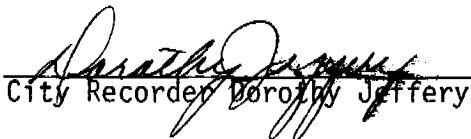
Don Dafoe	Yes
Neil Dutson	Yes
Craig Greathouse	Absent at the time of voting
Kjell Jenkins	No
Ruth Hansen	Yes

ITEMS FOR THE JUNE 4, 1984, REGULAR CITY COUNCIL MEETING

1. Gregg Nielson, Robison & Hill Company: March Audit Report.
2. Attorney Peterson: Union Pacific Railroad Letter Regarding Amtrack Crossing for Pedestrian
3. Attorney Peterson: Sales Tax Repayment Agreement
4. Attorney Peterson: Appointment of Zoning Enforcement Officer
5. Attorney Peterson; Controlled Substance Ordinance.

Mayor Nielson asked if there were any further comments or business to be discussed. There being none, Council Member Neil Dutson MOVED to adjourn the meeting. The motion was SECONDED by Council Member Don Dafoe. Meeting adjourned at 9:45 p.m.

  
\_\_\_\_\_  
Mayor Grant S. Nielson

  
\_\_\_\_\_  
City Recorder Dorothy Jeffery

THERE WAS NO REGULAR CITY COUNCIL MEETING HELD ON MAY 28, 1984